

**A REGULAR MEETING  
OF  
THE PUBLIC SERVICE COMMISSION**

1. A Regular Meeting was called to order by Chair Dallas Winslow in the Hearing Room, 861 Silver Lake Boulevard, Dover, Delaware, on Tuesday, June 20, 2017, at 1:00 p.m. with the following Commissioners in attendance: Joann Conaway, Manubhai “Mike” C. Karia, Harold Gray, and Kim Drexler.

The following Staff members were in attendance: Robert Howatt, Matthew Hartigan, Thomas Walsh, Deputy Attorney General, Robert Willard, Deputy Attorney General, Joseph DeLosa, Lisa Driggins, Joshua Bowman, Clishona Marshall, and Donna Nickerson.

Before the start of the meeting, Chair Winslow announced he received a letter from the Pipeline and Hazzard Materials Safety Administration in which Jerry Platt and his team received excellent scores in all categories involving pipeline safety. The Commission expressed their gratitude to Jerry and his team in all their hard work on pipeline safety matters.

2. Commissioner Drexler moved to approve the public meeting minutes from the June 6, 2017 Commission meeting; this motion was seconded by Commissioner Karia; the motion carried unanimously.
3. CONSENT AGENDA ITEMS:

A motion was made by Commissioner Conaway to adopt the following Consent Agenda items:

TIDEWATER UTILITIES, INC. APPLICATION FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY FOR THE “CONGRESS HALL” SUBDIVISION (FILED DECEMBER 29, 1991) – DNREC CERTIFICATE NO. 92-CPCN-12

IN THE MATTER OF THE APPLICATION OF TIDEWATER UTILITIES, INC. TO ABANDON WATER SERVICE PROVIDED UNDER A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY UNDER 26 *DEL. C.* SECTION 203A (“CONGRESS HALL”) (FILED MARCH 28, 2017; AMENDED APRIL 7, 2017) – PSC DOCKET NO. 17-0155

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Commission to consider Commission to consider Staff Memorandum and proposed Order No. 9069.

IN THE MATTER OF THE APPLICATION OF TIDEWATER UTILITIES, INC. FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO PROVIDE WATER SERVICES PURSUANT TO 26 *DEL. C.* §203C. (“SUSSEX 61810”) (FILED JULY 19, 2010) – PSC DOCKET NO. 10-CPCN-21

IN THE MATTER OF THE APPLICATION OF TIDEWATER UTILITIES, INC. TO ABANDON WATER SERVICE PROVIDED UNDER A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY UNDER 26 *DEL. C.* SECTION 203A (“SUSSEX 61810” – PARCEL NO. 533-18.00-33.03)(FILED MARCH 28, 2017, AMENDED APRIL 7, 2017) – PSC DOCKET NO. 17-0156

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Commission to consider Staff Memorandum and proposed Order No. 9070.

IN THE MATTER OF THE APPLICATION TIDEWATER UTILITIES, INC. FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO PROVIDE WATER SERVICES PURSUANT TO 26 *DEL. C.* §203C (“SUSSEX 61509”) (FILED JULY 15, 2009) – PSC DOCKET NO. 09-CPCN-29

IN THE MATTER OF THE APPLICATION OF TIDEWATER UTILITIES, INC. TO ABANDON WATER SERVICE PROVIDED UNDER A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY UNDER 26 *DEL. C.* SECTION 203A (“SUSSEX 61509” – PARCEL NO. 533-18.00-47.01)(FILED MARCH 28, 2017) – PSC DOCKET NO. 17-0157

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Commission to consider Staff Memorandum and proposed Order No. 9071.

IN THE MATTER OF THE APPLICATION OF ARTESIAN WATER COMPANY, INC. FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO PROVIDE WATER SERVICES TO A TOTAL OF 119 PARCELS OF LAND LOCATED BETWEEN THE TOWNS OF MILLVILLE, FRANKFORD, SELBYVILLE, AND FENWICK ISLAND, SUSSEX COUNTY, DELAWARE (“ROUTE 54, PHASE 6”) (FILED MAY 18, 2005; AMENDED AUGUST 31, 2005 – PSC DOCKET NO. 05-CPCN-16

IN THE MATTER OF THE APPLICATION OF ARTESIAN WATER COMPANY, INC. FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO PROVIDE WATER SERVICES PURSUANT TO 26 *DEL. C.* §203C. (“SUSSEX 0409”) (FILED JUNE 23, 2006, AMENDED AUGUST 26, 2009) – PSC DOCKET NO. 09-CPCN-26

IN THE MATTER OF THE APPLICATION OF ARTESIAN WATER COMPANY, INC. TO ABANDON UNDER 26 *DEL. C.* § 203A(d) WATER SERVICES PROVIDED UNDER TWO CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY (“ROUTE 54, PHASE 6” – PARCEL NOS. 533-19.00-35.00 AND 533-19.00-35.04) (“SUSSEX 0409” – PARCEL NO. 533-19.00-297.00) (FILED MARCH 31, 2017) – PSC DOCKET NO. 17-0166

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Commission to consider Staff Memorandum and proposed Order No. 9072.

IN THE MATTER OF THE APPLICATION OF TIDEWATER UTILITIES, INC. FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO PROVIDE WATER SERVICES PURSUANT TO 26 *DEL. C.* §203C (“WEIDMAN”) (FILED APRIL 24, 2017) – PSC DOCKET NO. 17-0262

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Commission to consider Staff Memorandum and proposed Order No. 9067.

IN THE MATTER OF THE APPLICATION OF ARTESIAN WATER COMPANY, INC. FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO PROVIDE WATER SERVICES PURSUANT TO 26 *DEL. C.* §203C (“NCC032217”) (FILED APRIL 27, 2017) – PSC DOCKET NO. 17-0278

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Commission to consider Staff Memorandum and proposed Order No. 9068.

IN THE MATTER OF THE JOINT APPLICATION OF WEST CORPORATION AND OLYMPUS HOLDINGS II, LLC FOR AUTHORITY TO TRANSFER INDIRECT CONTROL OF WEST SAFETY COMMUNICATIONS, INC. AND WEST TELECOM SERVICES, LLC. (FILED JUNE 9, 2017) – PSC DOCKET NO. 17-0432

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Commission to consider Staff Memorandum.

The motion was seconded by Commissioner Gray; the motion carried unanimously.

4. REGULAR AGENDA ITEMS:

IN THE MATTER OF THE APPLICATION OF DELMARVA POWER & LIGHT COMPANY TO REVISE THE RATE FOR THE UTILITY FACILITY RELOCATION CHARGE TO RECOVER COSTS INCURRED IN CONNECTION WITH THE RELOCATION OF ELECTRIC UTILITY FACILITIES (FILED MAY 31, 2017) - PSC DOCKET NO. 17-0401

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Robert Willard, Esquire, and Clishona Marshall appeared on behalf of Staff.

Pamela Scott, Esquire, appeared on behalf of Delmarva Power & Light Company.

Andrew Slater appeared on behalf of the Division of the Public Advocate.

A motion was made by Commissioner Karia and seconded by Commissioner Conaway to adopt Order No. 9078; motion carried unanimously.

A verbatim transcript was made of this proceeding.

IN THE MATTER OF THE APPLICATION OF DELMARVA POWER & LIGHT COMPANY TO REVISE THE RATE FOR THE UTILITY FACILITY RELOCATION CHARGE TO RECOVER COSTS INCURRED IN CONNECTION WITH THE RELOCATION OF GAS UTILITY FACILITIES (FILED MAY 31, 2017) – PSC DOCKET NO. 17-0402

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Thomas Walsh, Esquire, and Joseph DeLosa appeared on behalf of Staff.

Pamela Scott, Esquire, appeared on behalf of Delmarva Power & Light Company.

Andrew Slater appeared on behalf of the Division of the Public Advocate.

A motion was made by Commissioner Gray and seconded by Commissioner Karia to adopt Order No. 9080 as submitted; motion carried unanimously.

A verbatim transcript was made of this proceeding.

IN THE MATTER OF THE APPLICATION OF TELEPORT COMMUNICATIONS AMERICA, LLC TO OBTAIN NUMBERING RESOURCES IN THE HOLLY OAK RATE CENTER (FILED JUNE 1, 2017) – PSC DOCKET NO. 17-0408

Robert Willard, Esquire, and Lisa Driggins appeared on behalf of Staff.

A motion was made by Commissioner Conaway and seconded by Commissioner Karia to adopt Order No. 9077; motion carried unanimously.

A verbatim transcript was made of this proceeding.

IN THE MATTER OF THE APPLICATION OF TIDEWATER UTILITIES, INC. FOR THE APPROVAL OF THE SEMI-ANNUAL ADJUSTMENT TO THE DISTRIBUTION SYSTEM IMPROVEMENT (“DSIC”) CHARGE PURSUANT TO 26 DEL. C. §314 (FILED NOVEMBER 19, 2015) - PSC DOCKET NO. 15-1576

IN THE MATTER OF THE APPLICATION OF TIDEWATER UTILITIES, INC. FOR THE APPROVAL OF THE SEMI-ANNUAL ADJUSTMENT TO THE DISTRIBUTION SYSTEM IMPROVEMENT (“DSIC”) CHARGE PURSUANT TO 26 DEL. C. §314 (FILED MAY 20, 2015) - PSC DOCKET NO. 16-0656

Robert Willard, Esquire, and Joshua Bowman appeared on behalf of Staff.

Kirsten Higgins appeared on behalf of Tidewater Utilities, Inc.

Andrew Slater appeared on behalf of the Division of the Public Advocate.

A motion was made by Commissioner Conaway and seconded by Commissioner Drexler to adopt Order No. 9081; motion carried unanimously.

A verbatim transcript was made of this proceeding.

IN THE MATTER OF THE APPLICATION OF TIDEWATER UTILITIES, INC. FOR THE APPROVAL OF THE SEMI-ANNUAL ADJUSTMENT TO THE DISTRIBUTION SYSTEM IMPROVEMENT (“DSIC”) CHARGE PURSUANT TO 26 DEL. C. §314 (FILED MAY 19, 2017) - PSC DOCKET NO. 17-0330

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Robert Willard, Esquire, and Joshua Bowman appeared on behalf of Staff.

Kirsten Higgins appeared on behalf of Tidewater Utilities, Inc.

Andrew Slater appeared on behalf of the Division of the Public Advocate.

A motion was made by Commissioner Conaway and seconded by Commissioner Drexler to adopt Order No. 9073 as presented; motion carried unanimously.

A verbatim transcript was made of this proceeding.

IN THE MATTER OF THE APPLICATION OF SUSSEX SHORES WATER COMPANY FOR THE APPROVAL OF THE SEMI-ANNUAL ADJUSTMENT TO THE DISTRIBUTION SYSTEM IMPROVEMENT (“DSIC”) CHARGE PURSUANT TO 26 DEL. C. §314 (FILED NOVEMBER 30, 2015) - PSC DOCKET NO. 15-1602

Robert Willard, Esquire, and Joshua Bowman appeared on behalf of Staff.

Bryce Collins appeared on behalf of Sussex Shores Water Company.

Andrew Slater appeared on behalf of the Division of the Public Advocate.

A motion was made by Commissioner Gray and seconded by Commissioner Conaway to adopt Order No. 9074 as submitted; motion carried unanimously.

A verbatim transcript was made of this proceeding.

IN THE MATTER OF THE APPLICATION OF SUEZ WATER DELAWARE, INC.  
CONCERNING THE SEMI-ANNUAL ADJUSTMENT TO THE DISTRIBUTION  
SYSTEM IMPROVEMENT CHARGE (“DSIC”) EFFECTIVE JULY 1, 2017  
PURSUANT TO 26 DEL. C. §314 (FILED MAY 25, 2017) – PSC DOCKET NO.  
17-0370

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Thomas Walsh, Esquire, and Joshua Bowman appeared on behalf of Staff.

Larry Finnicum appeared on behalf of Suez Water Delaware, Inc.

Andrew Slater appeared on behalf of the Division of the Public Advocate.

A motion was made by Commissioner Conaway and seconded by Commissioner Karia to adopt Order No. 9075; motion carried unanimously.

A verbatim transcript was made of this proceeding.

IN THE MATTER OF THE APPLICATION OF DELMARVA POWER AND LIGHT  
COMPANY FOR APPROVAL OF QUALIFIED FUEL CELL PROVIDER PROJECT  
TARIFFS (FILED MAY 30, 2017) – PSC DOCKET NO. 17-0369

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Thomas Walsh, Esquire, and Joseph DeLosa appeared on behalf of Staff.

Pamela Scott, Esquire, appeared on behalf of Delmarva Power & Light Company.

Andrew Slater appeared on behalf of the Division of the Public Advocate.

A motion was made by Commissioner Drexler and seconded by Commissioner Conaway to adopt Order No. 9079 as presented; motion carried unanimously.

A verbatim transcript was made of this proceeding.

5. DIRECTOR’S COMMENTS

Mr. Howatt updated the Commission on the status of the Artificial Island Project.

Mr. Howatt announced that there would be an Evidentiary on June 29, 2017 at the Carvel State Office Bldg., 3<sup>rd</sup> Floor Conference Room in Wilmington, Delaware at 10:00 A.M. regarding Suez Water Delaware Inc. Phase II Cost Allocation Manual.

Mr. Howatt also announced that the next Commission Meeting will be held on Tuesday, July 11, 2017, at 1:00 P.M., in the Dover office.

Mr. Howatt introduced Robert Willard, Esquire, to discuss with the Commission the Superior Court's Order to Reverse and Vacate Order Nos. 8860 and 8878 in regards to Chesapeake Utilities Corporation vs Delaware Public Service Commission (C.A. K17A-01-001 WLW).

Under the advice of Chair Winslow a motion was made by Commissioner Conaway and seconded by Commissioner Drexler to enter into Executive Session for the purpose of a strategy session with respect to potential litigation; the motion carried unanimously.

A motion was made by Commissioner Karia and seconded by Commissioner Drexler to exit out of Executive Session; the motion carried unanimously.

Upon returning from Executive Session, no Commission action was taken regarding this matter.

There was no further business and the meeting adjourned approximately at 1:58 P.M.

Respectfully submitted,

/s/ Donna Nickerson  
Secretary